

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

U.S. DISTRICT COURT
SAVANNAH DIV.

2011 SEP 16 AM 11:08

ALIX LAINCY,

Plaintiff,

v.

CHATHAM COUNTY, GEORGIA,

Defendant.

CLERK

SO. DIST. OF GA.

CASE NO. CV409-098

O R D E R

Before the Court are Defendant's Motion for Summary Judgment (Doc. 60) and Motion to Dismiss Plaintiff's Response (Doc. 76). A review of these documents, responsive filings, and underlying pleadings leaves this Court with a confounding sense of déjà vu. Accordingly, these motions are **DISMISSED**, and the parties are **DIRECTED** to comply with the following plan aimed at ensuring that motions and responses presented to this Court are capable of being adjudicated with a reasonable amount of scarce judicial resources.

Yet again, "[t]he Court has invested significant resources in an attempt to rule on this dispositive motion, but finds the task wholly insurmountable given the present state of the pleadings." (Doc. 57.) Defendant appears to have engaged in a guessing game when formulating its Motion for Summary Judgment. (Doc. 60 at 3 ("it appears that the following claims . . . are

no longer at issue" (emphasis added)).) After Plaintiff filed his response to Defendant's Motion for Summary Judgment, Defendant filed a motion complaining that its attempt to file a reply brief "has been thwarted by Plaintiff's failure to abide by the Court's directive." (Doc. 76 at 1-2.) In opposition to this motion, Plaintiff lamented that he "had a difficult time with Defendant's brief and Statement of Material facts because Defendant cited argued [sic] against legal claims that Plaintiff did not make in its second amended Complaint. Defendant did not change or correct its Statement of Material [F]acts from its first Motion for Summary [J]udgment"

The Court sympathizes with counsel for both parties, who are reminded that

motions must contain citations to aid the Court in deciding a case. Citations to the record should be to document and page numbers as assigned by the Clerk of Court. S.D. Ga. L.R. 7.1. Motions responding to other motions should fairly track and respond to prior arguments in the order presented instead of taking a winding, overlapping, and unplanned discourse.

(Doc. 57 at 2-3.) The parties are advised that a brief causing difficulty for opposing counsel will be an even greater impediment to the Court. Accordingly, Plaintiff is **DIRECTED** to file a stipulation within **ten days** that specifically delineates the claims actually pursued in this matter. Motions for summary judgment should be filed, if at all, within **thirty days** of the date of the filing of Plaintiff's stipulation. Plaintiff would

be greatly behooved to respond to any motion for summary judgment in the order in which arguments are presented. Further, motions for summary judgment and accompanying briefs should track the law and elements of a compartmentalized, individual claim—Plaintiff's arguments in opposition should do the same.

SO ORDERED this 16th day of September 2011.

A handwritten signature in black ink, appearing to read "W. T. Moore, Jr.", written over a horizontal line.

WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA